IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CONTEMPT PETITION NO.141 OF 2006

Shri Raman Hiralal Zawar : Petitioner

V/s.

State of Maharashtra & Ors. : Respondents

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Mr.P.M.Shah for the petitioner.

Mr.D.A.Patil, Asstt. Govt. Pleader for respondent nos.1&2.

Mr.K.Y.Mandlik for respondent nos.3 & 4.

Mr.T.D.Deshmukh for respondent nos.5 to 9.

Mr.S.S.Shah for respondent nos.10 & 11.

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CORAM : A.M. KHANWILKAR, J.

DATE : MARCH 8, 2007.

P.C.

1. It is not the case of the petitioner that his possession in respect of the disputed property has been disturbed in any manner whatsoever. The fact that the authority has granted permission for sale of the disputed property in favour of M/s.Nakoda Developers does not mean that there is disobedience of the order of status quo as such. The order of status quo passed by this Court on 2.3.1988 was obviously relating to maintaining status quo

with regard to the possession of the disputed property till the proceedings under the Urban Land Ceiling Act are finally decided by the Competent Authority. Thus understood, it is not a case for initiating contempt action.

2. Hence, dismissed.

3. It is made clear that it will be open to the petitioner to pursue his claim with regard to the suit property in appropriate proceedings which will be decided on its own merits, in accordance with law.

4. The notice issued to the respondents stands discharged.

A.M. KHANWILKAR, J.